

**REMARKS**

Claims 1-16 are pending in this Application. By this Amendment, claims 1 and 16 are amended, as is Fig. 9 by the inclusion of a replacement drawing sheet. Reconsideration based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, objects to Fig. 9 which is amended to add a legend with the submission of the attached replacement drawing sheet. Applicants respectfully submit that the legend "Exemplary Art" is added rather than "Prior Art" as the requirement is to provide a label such as "Prior Art." The purpose is to distinguish the invention from other drawings that assist in understanding the invention. "Prior Art" is only one of many labels that may be used. In this case, the label "Exemplary Art" is a better description and is consistent with the Specification (see page 1, line 23). Withdrawal of the objection to Fig. 9 is respectfully requested.

The Office Action, in paragraph 3, rejects claims 1, 12 and 16 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,398,162 to Nagai. This rejection is respectfully traversed.

Nagai teaches a ladder-type piezoelectric filter comprising a series-parallel combination of piezoelectric ceramic resonators and a plurality of connector elements each disposed on each side of each resonator, wherein an insulating elastic member is inserted between each resonator and each connector element (Abstract).

Independent claim 1 recites, among other features, an electric filter comprising a plurality of thin-film bulk acoustic resonators (FBARs) each comprising a thin layer of piezoelectric material sandwiched between two metal electrodes ... for which the areas of the electrodes in contact with the piezoelectric layer to form the resonators are different between in series and in parallel FBARs, and all the FBARs are disposed on one substrate.

Independent claim 16 recites an electric filter comprising at least one FBAR in series and at

least one FBAR in parallel, each FBAR comprising a layer of piezoelectric material sandwiched between two electrodes of which the areas of the electrodes in contact with the piezoelectric layer are different between the FBAR in series and the FBAR in parallel, and all FBARs are disposed on one substrate.

Applicants respectfully submit that the feature wherein all FBARs are disposed on one substrate distinguishes the subject matter of independent claims 1 and 16 over the teachings of Nagai. Further, Applicants respectfully submit that dependent claim 12, while reciting separately patentable subject matter, includes all of the features of independent claim 1 from which it depends and as such is also not anticipated by the teachings of the applied reference. Further, Nagai does not suggest all of the features that are the subject matter of claims 1, 12 and 16 for the reasons discussed.

Applicants' representative reviewed this feature with Examiner Wells during the May 20 personal interview. As a result of that interview, it was agreed that the proposed amendment to claims 1 and 16, which includes the recitation that all of the FBARs are disposed on one substrate, will overcome the outstanding rejection under 35 U.S.C. §102(b).

Reconsideration and withdrawal of the rejection to claims 1, 12 and 16 under 35 U.S.C. §102(b) as being anticipated by Nagai are respectfully requested.

The Office Action, in paragraph 4, rejects claims 2-11 and 13-15 under 35 U.S.C. §103(a) as being unpatentable over Nagai. This rejection is respectfully traversed.

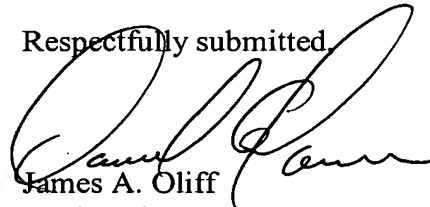
Applicants respectfully submit that, while each of the dependent claims 2-11 and 13-15 recites separately patentable subject matter, these claims also include all of the features recited in independent claim 1 from which they depend. Because Nagai does not disclose all of the features recited in independent claim 1, it cannot suggest, or provide motivation for, all of the features of dependent claims 2-11 and 13-15 which depend from independent claim 1.

Reconsideration and withdrawal of the rejection to claims 2-11 and 13-15 under 35 U.S.C. §103(a) as being unpatentable over Nagai are respectfully requested.

In view of the foregoing, Applicants respectfully submit that this Application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this Application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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JAO:DAT/aaw

Attachment:

Replacement Drawing Sheet 7/9 (Fig. 9)

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